

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: CELSIUS NETWORK LLC, et al.,

Debtors.

24-cv-4057 (LJL)

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JASON VOELKER,

Appellant,

ORDER

-v-

MOHSIN Y. MEGHJI, as Litigation Administrator, et al.,

Appellees.

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LEWIS J. LIMAN, United States District Judge:

On June 11, 2024, Appellant filed a motion to toll the deadline file his opening brief until five days after the Bankruptcy Court rules on a pending motion to strike and, in the event the Bankruptcy Court grants the motion to strike, to augment the designation of record on appeal with the motion to strike briefing. Dkt. No. 3. Appellee Mohsin Meghji filed a response, indicating that he consented to the request to toll but opposed the motion to augment the record on appeal. Dkt. No. 6.

The motion for an order tolling the deadline to file Appellant's opening brief until five days after the Bankruptcy Court's ruling on the motion to strike is GRANTED as unopposed. But the Court DENIES Plaintiff's request for "an Order augmenting the Designation of Record on Appeal," Dkt. No. 3 at 5–6, since "the *bankruptcy court* is the appropriate forum to determine a dispute of this character," *In re Ames Dep't Stores, Inc.*, 320 B.R. 518, 521 (Bankr. S.D.N.Y. 2005) (emphasis in original); *see also Ecke v. Purdue Pharma L.P.*, 2023 WL 3077811, at *1 n.2 (S.D.N.Y. Apr. 25, 2023).

The Clerk of Court is respectfully directed to close Dkt. No. 3.

SO ORDERED.

Dated: July 1, 2024
New York, New York



LEWIS J. LIMAN
United States District Judge